

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
(Through web-based video conferencing platform)

ITEM No.07
I.A No. 199 of 2022 in
CP (IB) No. 36/BB/2021

IN THE MATTER OF:

M/s. Royal Oak Furniture India LLP
Vs.

... Petitioner

... Respondent

Order under Section 10 of Insolvency & Bankruptcy Code, 2016

Order delivered on 02.12.2022

CORAM:

SH. KISHORE VEMULAPALLI
HON'BLE MEMBER (JUDICIAL)

SH. MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the RP : Sh. Gokul

ORDER

1. Orders were reserved in the I.A No. 199 of 2022 on 15.11.2022.
2. However, on perusal of the documents filed by the RP, it is observed that the revised Form H is not reflecting the latest Form H format prescribed under IBBI Regulations, i.e. Para-8 is not as per the Format, Para-9 Regulations 35A is to be removed and Para-14A is to be inserted. Further, the Petitioner has to file copy of the Bank Guarantee submitted by the Resolution Applicant as per under Regulation 39(4) of IBBI CIPR Regulations and also affidavits with regard to clarifying the treatment of government dues, if any, in view of judgement of Hon'ble Apex Court in the matter of *State Tax Officer Vs. Rainbow Paper Limited* and whether the claim of PF/Gratuity dues considering the judgment of *Jet Airways Ltd.* are duly included in the plan, needs to be filed. Hence, this matter is listed for "for being mentioned" today.
3. Heard Mr. Gokul, learned Counsel for the RP.

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4. The learned Counsel appearing for the RP is directed to file the above mentioned affidavits and documents along with Form H in proper format prescribed under IBBI Regulations.
5. List the I.A for hearing on 04.01.2023.

— Sd —

(MANOJ KUMAR DUBEY) ✓
MEMBER (TECHNICAL)

— Sd —

(KISHORE VEMULAPALLI)
MEMBER (JUDICIAL)

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